

REMARKS

Reconsideration of this application, in view of the foregoing amendments and the following remarks, is respectfully requested.

Claim Rejections - 35 USC §102

Claims 1-8, 13-14 are rejected under 35 U.S.C. 102(e) as being anticipated by Zak U.S. Patent No 6,452,991 B1. Applicants respectfully traverse these rejections.

To anticipate a claim, the reference must teach each and every element of the claim. M.P.E.P. §2131. Zak does not teach each and every limitation of amended claim 1.

Claim 1 has been amended to include the limitation of claim 2 regarding the correlation of the sequence of sample by itself. Zak does not teach this limitation. In rejecting claim 2, the Examiner has cited figs.4-6 and col.4, lines 33-67. A careful reading of the cited section reveal that Zak actually correlates the batch of samples with a known syncword (col. 4, lines 32-34). In fact, throughout the cited section, Zak refers to correlating various sequences with known syncwords to identify the location of syncword in the incoming sequence of data. Thus, Zak does not teach correlating the sequence of samples by itself. Accordingly, amended claim 1 is patentably distinguishable from Zak.

Claims 3-8 and 13-14 depend from claim 1 and are patentably distinguishable from Zak for at least the same reasons as amended claim 1.

Claim Rejections - 35 USC § 103

Claims 9-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Zak U.S. Patent No 6,452,991 B1 in view of Simmons et al Pub No 2002/00940048. Applicants respectfully traverse these rejections.

Claims 9-12 depend from amended claim, which has been distinguished from Zak for failing to disclose correlating the sequence of samples with itself. Therefore, the combination of Zak and Simmons et al. cannot render claims 9-12 obvious. Accordingly, claims 9-12 are patentably distinguishable from the combination of cited references for at least the same reasons as claim 1.

Claims 15-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Zak U.S. Patent No 6,452,991 B1 in view of Simmons Pub No 2002/0094048 A1 and in further view of Doi et al U.S. Patent No 5,491,713. Applicants respectfully traverse these rejections.

Claims 15 and 19 have been amended in the manner of claim 1, which has been distinguished from Zak for failing to disclose correlating the sequence of samples with itself. Therefore, the combination of Zak, Simmons et al., and Doi et al. cannot render claims 15-21 obvious. Accordingly, claims 15-21 are patentably distinguishable from the combination of cited references for at least the same reasons as claim 1.

Applicant believes this application and the claims herein to be in a condition for allowance. Should the Examiner have further inquiry concerning these matters, please contact the below named attorney for Applicant.

Respectfully submitted,



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TI-33323 - 8 -